

1-1 By: Van de Putte, Davis, Hinojosa S.B. No. 162
1-2 (In the Senate - Filed January 8, 2013; January 29, 2013,
1-3 read first time and referred to Committee on Veteran Affairs and
1-4 Military Installations; March 25, 2013, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; March 25, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Van de Putte	X			
1-9 Birdwell	X			
1-10 Campbell	X			
1-11 Davis	X			
1-12 Rodriguez	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 162 By: Van de Putte

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the occupational licensing of spouses of members of the
1-18 military and the eligibility requirements for certain occupational
1-19 licenses issued to applicants with military experience.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. The heading to Chapter 55, Occupations Code, is
1-22 amended to read as follows:

1-23 CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY
1-24 VETERANS, [~~LICENSE WHILE ON MILITARY DUTY~~] AND [~~FOR~~] MILITARY
1-25 SPOUSES [~~SPOUSE~~]

1-26 SECTION 2. Section 55.001, Occupations Code, is amended by
1-27 adding Subdivisions (1-a), (1-b), and (1-c) to read as follows:

1-28 (1-a) "Military service member" means a person who is
1-29 currently serving in the armed forces of the United States, in a
1-30 reserve component of the armed forces of the United States,
1-31 including the National Guard, or in the state military service of
1-32 any state.

1-33 (1-b) "Military spouse" means a person who is married
1-34 to a military service member who is currently on active duty.

1-35 (1-c) "Military veteran" means a person who has served
1-36 in the army, navy, air force, marine corps, or coast guard of the
1-37 United States, or in an auxiliary service of one of those branches
1-38 of the armed forces.

1-39 SECTION 3. Chapter 55, Occupations Code, is amended by
1-40 adding Sections 55.005, 55.006, and 55.007 to read as follows:

1-41 Sec. 55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY
1-42 SPOUSES. (a) A state agency that issues a license shall, as soon
1-43 as practicable after a military spouse files an application for a
1-44 license:

1-45 (1) process the application; and

1-46 (2) issue a license to a qualified military spouse
1-47 applicant who holds a current license issued by another
1-48 jurisdiction that has licensing requirements that are
1-49 substantially equivalent to the licensing requirements in this
1-50 state.

1-51 (b) A license issued under this section may not be a
1-52 provisional license and must confer the same rights, privileges,
1-53 and responsibilities as a license not issued under this section.

1-54 Sec. 55.006. RENEWAL OF EXPEDITED LICENSE ISSUED TO
1-55 MILITARY SPOUSE. (a) As soon as practicable after a state agency
1-56 issues a license under Section 55.005, the state agency shall
1-57 determine the requirements for the license holder to renew the
1-58 license.

1-59 (b) The state agency shall notify the license holder of the
1-60 requirements for renewing the license in writing or by electronic

means.

(c) A license issued under Section 55.005 has the term established by law or state agency rule, or a term of 12 months from the date the license is issued, whichever term is longer.

Sec. 55.007. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH MILITARY EXPERIENCE. (a) Notwithstanding any other law, a state agency that issues a license shall, with respect to an applicant who is a military service member or military veteran, credit verified military service, training, or education toward the licensing requirements, other than an examination requirement, for a license issued by the state agency.

(b) The state agency shall adopt rules necessary to implement this section.

(c) Rules adopted under this section may not apply to an applicant who:

(1) holds a restricted license issued by another jurisdiction; or

(2) has an unacceptable criminal history according to the law applicable to the state agency.

SECTION 4. Subchapter G, Chapter 1701, Occupations Code, is amended by adding Section 1701.315 to read as follows:

Sec. 1701.315. LICENSE REQUIREMENTS FOR PERSONS WITH MILITARY SPECIAL FORCES TRAINING. (a) In this section, "special forces" means a special forces component of the United States armed forces, including:

(1) the United States Army Special Forces;

(2) the United States Navy SEALs;

(3) the United States Air Force Pararescue;

(4) the United States Marine Corps Force Reconnaissance; and

(5) any other component of the United States Special Operations Command approved by the commission.

(b) The commission shall adopt rules to allow an applicant to qualify to take an examination described by Section 1701.304 if the applicant:

(1) has served in the special forces;

(2) has successfully completed a special forces training course and provides to the commission documentation verifying completion of the course;

(3) completes a supplemental peace officer training course; and

(4) completes any other training required by the commission after the commission has reviewed the applicant's military training.

(c) Commission rules adopted under Subsection (b) shall include rules:

(1) to determine acceptable forms of documentation that satisfy the requirements of Subsection (b);

(2) under which the commission may waive any other license requirement for an applicant described by Subsection (b) based on other relevant military training the applicant has received, as determined by the commission, including intelligence or medical training; and

(3) to establish an expedited application process for an applicant described by Subsection (b).

(d) The commission shall review the content of the training course for each special forces component described by Subsection (a) and in adopting rules under Subsection (b) specify the training requirements an applicant who has completed that training course must complete and the training requirements from which an applicant who has completed that training course is exempt.

SECTION 5. (a) Sections 55.005, 55.006, and 55.007, Occupations Code, as added by this Act, apply only to an application for a license filed with a state agency as defined by Section 55.001, Occupations Code, on or after March 1, 2014. An application for a license filed before March 1, 2014, is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

(b) Each state agency as defined by Section 55.001,

3-1 Occupations Code, shall adopt rules under Sections 55.005, 55.006,
3-2 and 55.007, Occupations Code, as added by this Act, not later than
3-3 January 1, 2014.

3-4 (c) Section 1701.315, Occupations Code, as added by this
3-5 Act, applies only to an application for a license filed with the
3-6 Commission on Law Enforcement Officer Standards and Education on or
3-7 after March 1, 2014. An application for a license filed before
3-8 March 1, 2014, is governed by the law in effect immediately before
3-9 the effective date of this Act, and that law is continued in effect
3-10 for that purpose.

3-11 (d) The Commission on Law Enforcement Officer Standards and
3-12 Education shall adopt rules under Section 1701.315, Occupations
3-13 Code, as added by this Act, not later than January 1, 2014.

3-14 SECTION 6. This Act takes effect immediately if it receives
3-15 a vote of two-thirds of all the members elected to each house, as
3-16 provided by Section 39, Article III, Texas Constitution. If this
3-17 Act does not receive the vote necessary for immediate effect, this
3-18 Act takes effect September 1, 2013.

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